

**UNITED STATES BANKRUPTCY
COURT
DISTRICT OF NEW JERSEY**

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In re:

Chapter 11

Case No. 23-1092

LTL MANAGEMENT LLC,

Hearing Date: April 18, 2023

Debtor.¹

**JUSTIN AND KATHRYN BERGERON'S JOINDER TO
OBJECTION OF THE OFFICIAL COMMITTEE OF TALC
CLAIMANTS TO DEBTOR'S MOTION FOR AN ORDER (I)**

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933

DECLARING THAT THE AUTOMATIC STAY APPLIES OR EXTENDS TO CERTAIN ACTIONS AGAINST NON-DEBTORS, (II) PRELIMINARILY ENJOINING SUCH ACTIONS, AND (III) GRANTING A TEMPORARY RESTRAINING ORDER EX PARTE PENDING A HEARING ON A PRELIMINARY INJUNCTION.

Through Cohen, Placitella & Roth, P.C., Justin and Kathryn Bergeron (“Bergerons”) submit this Joinder Objection to the objection filed by the Official Committee of Talc Claimants (“TCC”) in the above-captioned case, objecting to the motion of Debtor LTL Management, LLC (“Debtor”) for an Order (I) Declaring That the Automatic Stay Applies or Extends to Certain Actions Against Non-Debtors, (II) Preliminarily Enjoining Such Actions, and (III) Granting a Temporary Restraining Order Ex Parte Pending a Hearing on a Preliminary Injunction [Dkt. 39.], which is incorporated herein by reference.

Further, for the following reasons, the Bergerons object to Debtor’s supplemental motion to enlarge the list of “Protected Parties” to include Janssen Pharmaceuticals, Inc. (“Janssen”) and Kenvue Inc. (“Kenvue”).

1. The Bergerons object to Debtor’s untimely request for relief of extending the automatic stay to Kenvue and Janssen and to preliminarily enjoin any actions against them, including *Bergeron v. Kenvue Inc.*, Dkt. No. MID-L-2089-23, which relief, in contravention of prior orders of this Court, Debtor first requested in a nighttime filing on the eve of the August 18, 2023 Hearing on Debtor’s Motion [Dkt. 55].

2. As established during the Preliminary Injunction hearing on April 18, 2023, in which counsel for the Bergerons appeared to present their opposition, there is no jurisdiction in this Court to afford the protections granted to Debtor under the Bankruptcy Code to the “Nondebtors” or “Nondebtor Affiliates” listed by Debtor, particularly given Debtor’s failure to set forth any factual or legal bases to extend such relief to these non-debtors, generally, much less specifically, as evidenced by the testimony of Mr. Kim during the Hearing and his inability to identify the basis for Debtor’s request to extend such relief to nondebtors Janssen and Kenvue.

3. In further support of this Objection, the Bergerons submit the following documents, which are true and correct copies, as identified and discussed during the examination of Mr. Kim on Tuesday, April 18, 2023, and, permitted by the Court to be incorporated into the record:

- a. The Complaint in *Bergeron v. Kenvue*, Dkt. No. MID-L-2089-23 (Exhibit A).
- b. Form S-1 to the January 4, 2023 Securities and Exchange Commission Registration Statement of Kenvue Inc. (Exhibit B).
- c. Amendment No. 3 to Form S-1 to the March 30, 2023 Securities and Exchange Commission Registration Statement of Kenvue Inc. (Exhibit C).

4. For the reasons cited in the TCC Objection and those set forth above, the Bergerons respectfully request that this Court deny Debtor's motion in its entirety, and for such other relief as to which the Bergerons may be entitled.

COHEN, PLACITELLA & ROTH P.C.

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